IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 7TH AUGUST 2007 / 16TH SRAVANA 1929

WP(C).No. 37783 of 2003(W)

I.A.1208/01 IN O.S.112/1999 OF THE MUNSIFF'S COURT, KODUNGALLUR.

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PETITIONER:

MAJEED ABDULLA, AGED 46 YEARS,
S/O. ABDULLA, PADIYATH HOUSE, ERIYAD, KODUNGALLUR,
NOW RESIDING AT AKKARA ARCADE, AYYAPPANKAVU,
ERNAKULAM

BY ADV. SRI.RENJITH THAMPAN

RESPONDENTS:

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1. AISHABEEVI W/O. HANEEFA, PUNCHAMPADATH HOUSE, ERIYAD DESOM, VILLAGE, KODUNGALLUR

2. HANEEFA S/O. ABDUL RAHMAN, DO.DO.

BY ADV. SRI.P.VIJAYA BHANU
SMT.K.S.CHANDRIKA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.37783/03

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – ROUGH SKETCH SHOWING TOPOGRAPHY OF PLAINT SCHEDULE PROPERTY.

EXT.P2 – TRUE COPY OF ORDER IN IA.1208/01 IN O.S.112/99 OF MUNSIFF'S COURT, KODUNGALLUR.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.37783 OF 2003

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DATED THIS THE 7th AUGUST, 2007

J U D G M E N T

Ext.P2 order by which the learned Munsiff dismissed an application for joint trial of two suits, one for recovery of possession and another for declaration of easement rights with consequential reliefs, is under challenge in this Writ Petition.

2. Though very strenuous submissions were addressed by Mr.Ranjith Thampan, counsel for the petitioner, I am not able to agree that Ext.P2 is vitiated to the extent of warranting correction by this Court under the supervisory jurisdiction. I confirm Ext.P2 and dismiss the Writ Petition. However, there will be a direction to the court below to try the suits simultaneously.

(PIUS C.KURIAKOSE, JUDGE)

tgl